IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 830 OF 2005

Udaysing Ramkrishna Kadam ....Appellant.
V/s
Keshavrao Appaso Kadam.. ....Respondent.

Mr.Vishwanath Talkute, Adv. For the appellant.

CORAM: A.P.DESHPANDE, J.
13/7/07

PC:

The present appellant is the original plaintiff. The plaintiff instituted a suit for perpetual injunction with a view to restrain defendants from interfering with the plaintiff's possession and enjoyment of suit land described in para 1A and 1B. The trial Court decreed the suit to the extent it relates to property described in para 1A, however dismissed the suit to the extent of property described in para 1B. Aggrieved by that part of decree which dismissed the suit to the extent of property at para 1B, the plaintiff filed an appeal before the district Court. The District Judge concurring with the view taken by the trial Court has dismissed the appeal. Hence this second appeal has been filed. Injunction in relation to property described in para 1B is only in relation to fruits of the tamarind trees. . Both the Courts below have categorically found that the plaintiff has failed to prove that he is the owner of the suit property and hence rejected the claim. Perused the judgment passed by the District Judge. Same does not call for interference. There is no merit in the appeal. No substantial question of law arises for consideration. Hence Second Appeal is summarily dismissed.

13.7.07